

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA, INC.

PLAINTIFF

V.

CIVIL ACTION NO. 2:13cv101-KS-MTP

HUB MECHANICAL CONTRACTORS, INC.,
CARREME B. CURRY, GEORGE C. CURRY,
CINDY B. CURRY, MARGIE C. FAILS,
PHILIP A. FAILS, AND ARTHUR C. HENDERSON

DEFENDANTS

DEMAND FOR JURY TRIAL

COMES NOW Defendant, Philip A. Fails ("Mr. Fails"), and files this **DEMAND FOR JURY TRIAL**. Pursuant to Fed. R. Civ. Proc. 38 and 5(d) and the Seventh Amendment to the U.S. Constitution, Mr. Fails demands a jury trial as to all issues, claims and matters in this action. Additionally, the Mississippi Constitution Article 3, Section 31 provides that "the right of trial by jury shall remain inviolate." Miss. Const. Art. 3, § 31.

Pursuant to Loc. R. 38(a) of the U.S. District Courts of the Southern District of Mississippi, Mr. Fails files this separate Demand for Jury Trial.

WHEREFORE, PREMISES CONSIDERED, Mr. Fails prays that this Court will order a jury trial as to all issues, claims and matters in this action. Mr. Fails also prays for such other relief as to which this Court deems just and appropriate.

THIS the 19th day of August, 2013.

Respectfully submitted,

PHILIP A. FAILS

By: /s/ Christopher Solop
Christopher Solop, MSB #7687
Brenda Redfern, MSB #7428
His Attorneys

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Christopher Solop, one of the attorneys for Philip A. Fails, do hereby certify that I have this day electronically filed the foregoing document with the Clerk of the Court using the ECF system, which sent notification to all registered users, including the opposing party's attorneys, including:

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THIS the 19th day of August, 2013.

/s/ Christopher Solop
Christopher Solop